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November 22, 1996

**FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY**

VIA HAND DELIVERY

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W.
Room 222
Washington, D.C. 20554

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Re: Advanced Television Systems and Their Impact upon the
Existing Television Broadcast Service
MM Docket No. 87-268
Comments

Dear Mr. Caton:

WatchTV, Inc., through counsel, hereby files the original and five copies of its comments to the Sixth Further Notice of Proposed Rule Making in MM Docket No. 87-268. Please contact the undersigned if you have any questions.

Sincerely,



Ann K. Ford
Michael Ruger

Enclosures

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BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC 20554

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OFFICE OF SECRETARY

In the Matter of)
)
Advanced Television Systems)
and Their Impact Upon the) MM Docket No. 87-268
Existing Television Broadcast)
Service)

To: The Commission

COMMENTS

1. WatchTV, Inc., operator of low power television stations in Washington and Oregon,¹ hereby files these Comments in response to the Commission's Sixth Further Notice of Proposed Rule Making (FCC 96-207, released August 14, 1996) ("Sixth NPRM"). Unless the Commission adopts sufficient safeguards, the implementation of DTV could drive many of the nation's LPTV stations off the air, including stations operated by WatchTV.

¹WatchTV holds authorizations for the following LPTV stations: K49EI, Channel 49, Ellensburg, Washington; K66EU, Channel 66, Yakima, Washington; K60FX, Channel 60, Kennewick, Washington; K16DD, Channel 16, Pendleton, Oregon; K62DV, Channel 62, Portland, Oregon; K56EI, Channel 56, Portland, Oregon; K19CT, Channel 19, Camas, Washington; K66EJ, Channel 66, Newberg, Oregon; K25EP, Channel 25, Newport, Oregon; K41DF, Channel 41, Eugene, Oregon; K25EG, Channel 25, Roseburg, Oregon; K49DM, Channel 49, Coos Bay, Oregon; K18DW, Channel 18, Redmond, Oregon; K15DO, Channel 15, Bend, Oregon; K20DT, Channel 29, Grants Pass, Oregon; K68EW, Channel 68, Medford, Oregon; and K39DP, Channel 39, Klamath Falls, Oregon. WatchTV has filed an application for a new LPTV station on Channel 28 at Astoria, Oregon, an application to modify the authorization of K663U to reflect operation on Channel 52, and an application to modify the authorization of K25EP to reflect operation on Channel 55 at Salem, Oregon.

Discussion

2. WatchTV opposes the Commission's "core spectrum" proposal. This proposal would needlessly restrict the availability of potential DTV channels, thereby greatly increasing the probability that LPTV stations will be forced off the air. WatchTV's analysis indicates that under the Commission's DTV allotment plan, three of its LPTV stations would be forced off the air by DTV allotments.²

3. Furthermore, LPTV stations operating on Channels 60 through 69 which would not be affected by DTV allotments would ultimately be forced off of their channels to permit recovery of that spectrum. Indeed, the Commission notes that "about 17 percent of all LPTV and TV translator stations would be affected by recovery of channels 60-69." Sixth NPRM at ¶ 66. Five of WatchTV's LPTV stations operate at Channels 60 through 69, and would be forced to move--assuming that a replacement channel is available.³ Each move will cause WatchTV to incur significant costs and viewers to experience significant service disruptions.

4. WatchTV strongly encourages the Commission to adopt rules which will afford LPTV stations some degree of protection during

²The FCC proposes DTV channels which would conflict with the operation of LPTV Stations K25EG, Roseburg, K20DT, Grants Pass, and K39DP, Klamath Falls. A fourth DTV channel proposal would conflict with the proposed change in channel of LPTV Station K66EU, Yakima. The alternate channel plan to be proposed by the broadcasters' coalition would affect these LPTV stations as well.

³Specifically, LPTV Stations K66EU, Yakima, K60FX, Kennewick, K62DV, Portland, K66EJ, Newberg, and K68EW, Medford, would be required to relocate.

the transition to DTV. First, the Commission should adopt its proposal to permit licensed LPTV stations to seek primary use of available DTV channels ahead of new applicants, once DTV channels have been allotted to full-service television broadcasters. Sixth NPRM at ¶ 72. Second, the Commission should set aside frequencies between Channels 52 and 59 specifically for use by displaced LPTV stations, as proposed in the Sixth Notice at ¶ 70. Finally, if the Commission moves to reclaim the Channel 60 through 69, then new service providers should be required to compensate LPTV licensees for their existing investment or for moves to new channels to accommodate new entrants. See Sixth NPRM at ¶ 68.

Conclusion

5. LPTV stations provide an important and free over-the-air broadcast service to hundreds, if not thousands, of communities throughout the country. WatchTV, for instance, is the only provider of broadcast foreign language television programming in its service area. The FCC should take the important services provided by LPTV stations into careful consideration during the transition to DTV, particularly with respect to its proposal to reclaim Channels 60 through 69. Therefore, WatchTV respectfully

requests that the Commission adopt safeguards as described above to afford some protection to LPTV stations that are displaced as a result of the transition to DTV.

Respectfully submitted,



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